

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

BRUNS, et al.,

Plaintiff,

v.

LEBRON HUERTAS, et al.,

Defendants.

CIV. No. 17-1505-MDM

ORDER

Defendants' urgent motion requesting dismissal of the case (Docket No. 81) is **DENIED** and Defendants' urgent motion requesting a stay of the proceedings (Docket No. 81) is **GRANTED in part** and **DENIED in part**.

The Court hereby issues a *temporary* stay of the proceedings in this case in view of the Order of Liquidation issued by the Court of First Instance, San Juan Part, on January 18, 2019. (*See* Docket No. 81-1). The *temporary* stay of these proceedings will be **strictly limited to the following terms and conditions**:

1. The stay is for a period *not* to exceed **six (6) months**, which shall begin to run from the date the Order of Liquidation was issued by the state court, January 18, 2019, and shall end on **July 18, 2019**.
2. During the stay of the proceedings, counsel for Defendants is **ORDERED** to continue to comply with what she agreed to at the Emergency Hearing held back in January 4, 2019, and with what the Court **ORDERED** during such hearing. (*See* Docket No. 77).
 - a. Defendants were **ORDERED** to notify the Plaintiffs of the deadline for the filing of any proof of claim as part of the Real Legacy liquidation proceeding. *Id.* In addition, Defendants

shall assist Plaintiffs in filing a proof of claim directly with the liquidator to ensure prompt attention to Plaintiffs' claims as part of the administrative/liquidation process;

- b. Defendants were **ORDERED** to file a status report with the Court every thirty (30) days informing it of the progress of the Real Legacy Assurance liquidation proceeding. Defendants are thus **ORDERED** to file an informative motion as to the status of the liquidation proceeding during the pendency of the six (6) months' stay. **The first status report is due by February 26, 2019.**

3. If a global settlement is not reached by the parties, Defendants shall file their response to Plaintiffs' Motion for Summary Judgment on Liability and accompanying Statement of Uncontested Material Facts (Docket Nos. 79 and 80) by **August 19, 2019**, that is, thirty (30) days *after* the stay of the proceedings is lifted.
4. As previously ordered by this Honorable Court, if a global settlement is not reached by the parties once the liquidation process concludes, the Court will set a trial date (*See* Docket No. 77), taking into consideration the Motion for Summary Judgment filed by the Plaintiffs (Docket Nos. 79 & 80).
5. The *temporary* stay of proceedings will be automatically lifted once the six (6) months period expires, that is on **July 18, 2019**, *unless* the Defendants produce evidence to the Court and to Plaintiffs that the stay has been extended by order of the State Court in which the liquidation action is pending. A copy of such order shall be provided to this Court and to Plaintiffs *prior* to **July 18, 2019**. Plaintiffs would be permitted to oppose such a request.
6. Given the fact that discovery concluded on March 16, 2018 and, based on the representations of both parties that this case is trial ready, as

previously held by the Court, if new counsel enters because of the liquidation proceedings, **NO NEW DISCOVERY WILL BE ALLOWED.** (*See* Docket No. 77).

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 20th day of February 2019.

s/ Marshal D. Morgan
MARSHAL D. MORGAN
UNITED STATES MAGISTRATE JUDGE